

RECRUITMENT RULES

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GOVERNMENT OF PUDUCHERRY
LAW DEPARTMENT

(G.O. Ms. No. 16/2016-LD., dated 3rd August 2016)

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of Law, Justice and Company Affairs (Department of Justice) Notification No. 30/16.76-Jus., dated 31st August 1979 and all other powers enabling him in this behalf, the Lieutenant-Governor, Puducherry on the recommendations of the Hon'ble High Court of Judicature at Madras is pleased to make the following rules further to amend the Puducherry Judicial Service (Cadre and Recruitment) Rules, 2008 issued *vide* Notification under G.O. Ms. No. 8/08-LD., dated 8th April 2008 of the Law Department, Government of Puducherry and published as Supplement to the Gazette No.18, dated 29th April 2008, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Puducherry Judicial Service (Cadre and Recruitment) Amendment Rules, 2016.

(2) They shall come into force on and from the date of their publication in the Official Gazette.

2. *Amendment of rule 8.*— (1) In the Puducherry Judicial Service (Cadre and Recruitment) Rules, 2008, (hereinafter referred to as the said rules), in the Table below rule 8, for the existing entries in item (iii) under column (3) against serial number 3, the following shall be substituted, namely:—

"(iii) 25 % of the posts shall be filled by direct recruitment from amongst the eligible Advocates on the basis of the preliminary examination, main examination and viva voce test prescribed and conducted by the High Court in accordance with the procedures prescribed in Annexure-I to these rules."

(2) In the said rules, in the Table below rule 8, for the existing entries in item (iii) 4 under column (4) against serial number 3, the following shall be substituted, namely:—

"4. Must have attained the age of 35 years and must not have attained the age of 48 years in the case of Scheduled Castes/Scheduled Tribes and 45 years in the case of others as on 1st July of the year in which the selection for appointment is made."

(3) In the said rules, in the Table below rule 8, for the existing entries under column (3) against serial number 9, the following shall be substituted, namely:—

"By direct recruitment on the basis of the preliminary examination, main examination and viva voce test conducted by the High Court in accordance with the procedures prescribed in Annexure-II to these rules."

3. *Amendment of Annexure-I under rule 8.*— In the said rules, in Annexure-1 under rule 8, for the existing entries, the following shall be substituted, namely:—

"1. The High Court shall invite applications for filling up of the post of District Judge (Entry Level) by direct recruitment.

2. A candidate shall, along with his/her application:—

(a) If he/she is an Advocate or Pleader produce from the Presiding Officer of the Court in which he/she is actually practising, a certificate indicating the length of his/her practise;

(b) If he/she is an Assistant Public Prosecutor produce from the Department Head under whose authority the appointment was made, a certificate indicating the length of his/her service;

(c) Produce a Certificate of good character, from a Senior Advocate/Counsel and another from a responsible person, not being a relative but, who is well acquainted with him/her in private life.

3. The High Court shall conduct the competitive examination for direct recruitment to the post of District Judge (Entry Level), in three stages, as specified below.

- (a) Preliminary examination (objective type question paper) to be conducted either by way of online test or by way of on-paper test in Optical Mark Recognition paper (OMR paper);
- (b) Main examination; and
- (c) viva voce test

4. The minimum marks for a pass in the preliminary examination shall be as follows:

For the candidates belonging to Scheduled Castes and Scheduled Tribes	30 Marks
For the candidates belonging to Most Backward Classes, Other Backward Classes, Extreme Backward Classes, Backward Class Muslims and Backward Tribes	35 Marks
For others	40 Marks

After the preliminary examination, all the successful candidates in the preliminary examination, as mentioned above, shall be called upon for main examination.

5. After the main examination, for every direct recruitment of District Judges (Entry Level) (under 25% quota), the High Court shall fix, at its discretion, the cut-off marks, for each paper separately which shall in any event, be not less than—

35% of Marks in each paper	For the candidates belonging to Scheduled Castes and Scheduled Tribes
40% of Marks in each paper	For the candidates belonging to Most Backward Classes, Other Backward Classes, Extreme Backward Classes, Backward Class Muslims and Backward Tribes.
45% of Marks in each paper	For others

and call upon such number of the successful candidates to appear for viva voce test, as it deems fit and proper, keeping in view the available vacancies.

Provided that if more than one candidate secure identical cut-off marks as fixed by the High Court, all such candidates shall be called upon to appear for viva voce test.

6. From the candidates, who have appeared for viva voce test, the final selection of the candidates shall be made on the basis of the total marks obtained by the candidates in the main examination and viva voce test taken together, subject to the rule of reservation of appointment. The maximum marks allotted for the main examination and viva voce test shall be 75% and 25%, respectively.

7. The notification enlisting the successful candidates prepared under these rules shall be published in the Official Gazette of the Government of Puducherry and it shall cease to be operative as from the date of publication of the next list of successful candidates prepared under these rules, in the aforesaid Official Gazette."

4. *Amendment of Annexure-II under rule 8.*— (1) In the said rules, in Annexure-II under rule 8, for the existing entries in para (2), the following paras (2) and (3) shall be substituted, namely:—

"(2) The High Court shall conduct the Competitive Examination for selection to the post of Civil Judge by direct recruitment, in three stages, as specified below:

- (a) Preliminary examination (Objective type - Maximum Marks:100), to be conducted either by way of online test or by way of on-paper test in Optical Mark Recognition paper (OMR paper);
- (b) Main examination; and
- (c) Viva voce test"

(3) The syllabi for the examination shall be as follows:

(a) **Preliminary Examination** (Objective type - Maximum marks:100)
to be conducted either by way of online test or by way of on-paper test in Optical Mark Recognition paper (OMR paper);

Part-A: The Code of Civil Procedure, 1908;

The Negotiable Instruments Act, 1981;

The Transfer of Property Act, 1882;

The Indian Contract Act, 1872;

The Specific Relief Act, 1963;

The Constitution of India; and

The Puducherry Buildings (Lease and Rent Control) Act, 1969.

Part-B: The Code of Criminal Procedure, 1973;

The Indian Penal Code, 1860;

The Indian Evidence Act, 1872;

The Criminal Law (Amendment) Act; and

The Criminal Minor Acts (including Information Technology Act and the Protection of Children from Sexual Offences Act)

Part-C: General Knowledge—

Test of reasoning and mental ability.

The minimum marks for a pass in the preliminary examination shall be as follows:

For the candidates belonging to Scheduled Castes and Scheduled Tribes	30 Marks
For the candidates belonging to Most Backward Classes, Other Backward Classes, Extreme Backward Classes, Backward Class Muslims and Backward Tribes	35 Marks
For others	40 Marks

(b) Main Examination:

(i) *Translation paper* (Maximum Marks: 100)

There will be one translation paper and the candidates will be required to translate passages in English into Tamil (or) Malayalam (or) Telugu and like-wise, the passages in Tamil (or) Malayalam (or) Telugu into English at their option.

The passages will be from (1) Depositions (2) Judgments; and (3) Documents.

(ii) *Law Paper-I* (Maximum Marks: 100)

The Code of Civil Procedure, 1908;

The Code of Criminal Procedure, 1973;

The Indian Evidence Act, 1872;

Principles of Pleading; and

The Constitution of India,

(iii) *Law Paper-II* (Maximum Marks:100)

Framing of issues and Writing of Judgments in Civil Cases,

(iv) *Law Paper-III* (Maximum Marks:100)

Framing of charge and Writing of Judgments in Criminal Cases.

The minimum marks for a pass in each paper of the main examination shall be—

30%	For the candidates belonging to Scheduled Castes and Scheduled Tribes
35%	For the candidates belonging to Most Backward Classes, Other Backward Classes, Extreme Backward Classes, Backward Class Muslims and Backward Tribes.
40%	For others

(c) **Viva voce test** (Maximum Marks: 60)

The candidate's general knowledge and knowledge of law, grasp of Procedural Laws and

Principles of Law and suitability for appointment as Civil Judge shall be tested.

Provided that no candidate who has secured less than the minimum marks specified above to the main examination shall be eligible for viva voce test.

The minimum marks for a pass in the viva voce test for all the categories of candidates shall be 18."

(2) In the said rules, in Annexure-II under rule 8, for the existing entries at para (3), the following shall be substituted and the said para (3) shall be re-numbered as para (4), namely:—

"(4) The High Court shall appoint the Examiners for setting of question papers and evaluation of answer sheets for the preliminary examination and main examination."

(3) In the said rules, in Annexure-II under rule 8, the existing entries at para (4) shall be re-numbered as para (5).

(By order of the Lieutenant-Governor)

G. SENDIL KUMAR,
Secretary (Law).